

REMARKS

Claims 1-10, 12-27, and 32-58 were previously pending in the application. Claims 11, 21, 23-31, 42, 48 and 52-62 are canceled herein or were previously canceled. Claims 63-78 are added. Accordingly, claims 1-10, 12-20, 22, 32-41, 43-47, 49-51, and 63-78 are now pending in the application.

Furthermore, the amendments to the claims as indicated herein do not add any new matter to this application. Moreover, amendments made to the claims as indicated herein have been made to exclusively improve readability and clarity of the claims and not for the purpose of overcoming alleged prior art. Each issue raised in the Office Action mailed January 7, 2009 is addressed hereinafter.

I. ISSUES NOT RELATING TO PRIOR ART

A. CLAIMS 32 TO 52—COMPUTER-READABLE STORAGE MEDIA

Claims 32 to 52 are rewritten in the conventional format accepted by the USPTO for claims directed to computer-readable storage media. Page 16, paragraph 61 of the specification distinguishes between transmission media on the one hand and volatile or non-volatile media (all of which are storage media) on the other hand. Thus claims 32 to 52 are directed to storage media. The substantive scope of the claims corresponds to the method claims that were identified by reference in claims 32-52 as originally filed.

B. NEW CLAIMS 63-78

The body of each of the new claims 63-78 corresponds in scope to one of the method claims but claims 63-78 are directed to a router of the kind disclosed in the specification, pages 14-18. The originally filed claims also included apparatus claims broader in scope than new claims 63-78 and thus no new matter is introduced. Claims 63-78 are allowable for the same reasons set forth herein for corresponding method claims.

II. ISSUES RELATING TO PRIOR ART

A. CLAIMS 21, 22, 52, 53 - ALLOWABLE CLAIMS

Claims 21, 22, 52, and 53 are objected to as dependent upon a rejected base claim, but stated as otherwise allowable. In response, independent claim 1, upon which claim 21 depends, has been amended to incorporate all of the features of claim 21. Thus, claim 1 is in condition for allowance. Additionally, the remaining pending claims depend on claim 1, or are computer-readable medium claims or apparatus claims having scope parallel to that of claim 1. Therefore, all pending claims are believed to be in condition for allowance.

B. CLAIMS 1-20, 23-51, 54-58—CHEN AND WONG IN VIEW OF POUYOUL

Claims 1-20, 23-51, and 54-58 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Chen and Wong in view of Pouyoul. The rejection is respectfully traversed.

Claims 11 and 28-31 have been previously canceled and therefore the rejection is moot.

Claims 21 and 52 have been canceled as the features of these claims have been incorporated into independent claim 1 and independent claim 32 (by reference to claim 1).

Claims 23-27 also were rejected. Solely for purposes of simplifying the case and reducing the number of claims, claims 23-27 are canceled herein, and therefore the rejection is moot.

Claim 1 is an independent claim in method form. All other claims either depend from claim 1 or are computer-readable medium claims having a scope parallel to that of claim 1. By amendment, features of original claim 21 have been incorporated into claim 1. The features of claim 21 were indicated as allowable in the Office Action and clearly distinguish over Chen and Wong in view of Pouyoul. Accordingly, claim 1 is in condition for allowance.

The remaining claims are dependent on claim 1 or recite scope parallel to the method claims and, therefore, are also in condition for allowance. Reconsideration is respectfully requested.

The Office Action rejected claims 12, 18, 19, 39, 43, 49, and 50 as indicated in the Office Action Summary and Section 5 of the Office action which states “[c]laims 1-20, 23-51, 54-58 are being rejected under 103(a) as being unpatentable over Chen (6392997), and Wong (5974465) in view of Pouyoul (7165107).” However, reasons for rejecting these claims were not stated anywhere in the Office Action as is required by 37 CFR 1.113(b). According to 37 CFR 1.113(b), “[i]n making such final rejection, the examiner shall repeat or state all grounds of rejection then considered applicable to the claims in the application, clearly stating the reasons in support thereof.” Because the Office Action does not clearly state the reasons supporting the rejection of claims 12, 18, 19, 39, 43, 49 and 50, the Office Action fails to state a *prima facie* case of unpatentability of claims 12, 18, 19, 39, 43, 49 and 50. Therefore, claims 12, 18, 19, 39, 43, 49 and 50 are additionally allowable because no prior art is applied to the claims.

III. CONCLUSIONS & MISCELLANEOUS

For the reasons set forth above, all of the pending claims are now in condition for allowance. The Examiner is respectfully requested to contact the undersigned by telephone relating to any issue that would advance examination of the present application.

A petition for extension of time to the extent necessary to make this reply timely filed is hereby made. If applicable, the petition for extension of time fee and other applicable fees are submitted concurrently herewith. If any applicable fee is missing or insufficient, throughout the pendency of this application, the Commissioner is hereby authorized to charge any applicable fees and to credit any overpayments to our Deposit Account No. 50-1302.

Respectfully submitted,

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